



CITY OF HAYWARD AGENDA REPORT

Meeting Date 07/10/03
Agenda Item 1

TO: Planning Commission

FROM: Arlynne J. Camire, Associate Planner

SUBJECT: Variance Application No. PL-2003-0234 – George Dimic (Applicant/Owner) –
To Retain a Fence Exceeding 4 Feet in Height within the Front Yard

The Property Is Located at 2608 Home Avenue in a Single-Family Residential (RS) District

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Find that the proposed project is Statutorily Exempt from the California Environmental Quality Act (CEQA) Guidelines, Section 15270(a), Projects Which Are Disapproved; and
2. Deny the variance request, subject to the attached findings.

DISCUSSION:

This residential property is located on an inside curve of Home Avenue between Parkside Drive and Hillcrest Avenue in the Old Highlands Neighborhood. The property runs downhill from the street with the residence sitting approximately 8 feet below. The property contains 12,632 square feet, in excess of the minimum 5,000 square feet required, and is generally rectangular in shape. Home Avenue is a one-way street with no curbs, gutters or sidewalks; on-street parking is prohibited along the street side opposite the residence.

On March 13, 2003, the owner was issued an encroachment permit to pave over a planter area and replace damaged street pavement. The Public Works inspector issued a stop-work order after observing that work had been completed beyond the scope allowed by the permit. This work included the foundation and masonry pilasters for an unfinished fence on the property line; the pilasters vary in height from 5 to 7 feet where a maximum height of 4 feet is permitted. On April 9, 2003, the property owner applied for the variance to keep the fence at its proposed height. The encroachment permit was cancelled and the fee was returned.

The fence encloses the front of the property. The fence consists of square stucco pilasters on a continuous concrete foundation. The tallest pilasters are located at the pedestrian and vehicle entries. The property owner proposes to install decorative wrought iron between the pilasters to complete the fence. Landscape areas line both sides of the fence except along the southerly side

of the property where the area between the street pavement and the fence has been paved with concrete.

Beyond the fact that the height of the fence exceeds the maximum allowable under the Zoning Ordinance, staff is concerned with the design of the fence and its impact in the neighborhood. The fence does not conform to the Hayward Highlands Neighborhood Plan that requires the semi-rural character and treatment of streets in the Old Highlands area to be retained. The policy of the plan states that this is done by allowing only new development and other improvements that respect the existing semi-rural character. Many properties in the neighborhood do not use front yard fencing and many rely on landscape features only for desired screening. Other fences in the neighborhood are low in height and are of materials that reflect the semi-rural neighborhood character. Both the landscaping and the scale of the fences preserve the open space quality of the neighborhood. In contrast, the masonry and wrought-iron fence, and its height, presents a more urban feeling and blocks short-range views within the neighborhood; the front of the house itself, except for the roof, would not be seen from the street.

Staff does not believe that there are any special circumstances that are related to the property that would justify the granting of the variance. The property is large and regularly-shaped. The downward slope away from the street provides more privacy to the front yard that would not be afforded otherwise; this characteristic further negates the need for a higher fence. Secondly, the semi-rural character of the neighborhood would be compromised should the variance for the extra height be granted. Should the Planning Commission approve this application, staff should be directed to return with the appropriate environmental review, findings, and conditions of approval.

ENVIRONMENTAL REVIEW:

The proposed project is statutorily exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15270 (a), Projects Which are Disapproved.

PUBLIC NOTICE:

On April 14, 2003, a Referral Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records, and the Old Highlands Homeowners Association, Hayward Planning Association, and members of the Hayward Highlands Neighborhood Plan Task Force. Staff received several telephone calls in support and opposition from neighboring residents. In addition, staff received a petition and emails in support of the variance (Attachments D and E). Several emails in opposition were also received (Attachment F). Those in opposition felt that the fence creates a potential traffic hazard to pedestrians since at the curve the columns may impair the driver's sight.

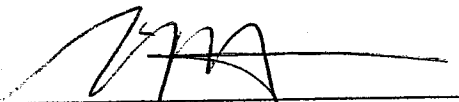
The Board of the Old Highlands Homeowners Association replied on May 28, 2003 (Attachment C), saying that it supports the request for a variance provided 1) "the City will address the issue of safety at the Dimic corner;" 2) "the City does not treat it as a precedent for higher fences in the neighborhood;" and 3) "the City recognizes that the curb and street drainage that Mr. Dimic has installed may not be regarded as a final solution...." Staff does not believe that a fence on

this property line creates any new safety problem. While there is limited visibility at the "corner," Home Avenue is a one-way street, there is no intersection with another street at this point, and there is no opposing traffic. Requests for signage should be independently made to the Public Works Department.

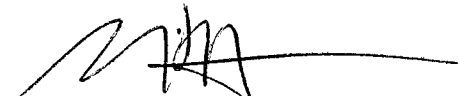
The OHHA Board further states that it would not want approval of this variance to set a precedent for higher fences in the neighborhood. However, staff does not believe that appropriate findings can be made to support approval of this request. While each variance request is evaluated on its own merits, OHHA's support of this particular request could indicate to others a shift in its policy regarding neighborhood character. The drainage issues addressed in OHHA's letter are not affected by this application and will continue to be handled by the Planning Division and the Public Works Department as warranted.

On June 30 2003, a Notice of Public Hearing for the Planning Commission meeting was mailed. Staff did not receive additional public input.

Prepared by:

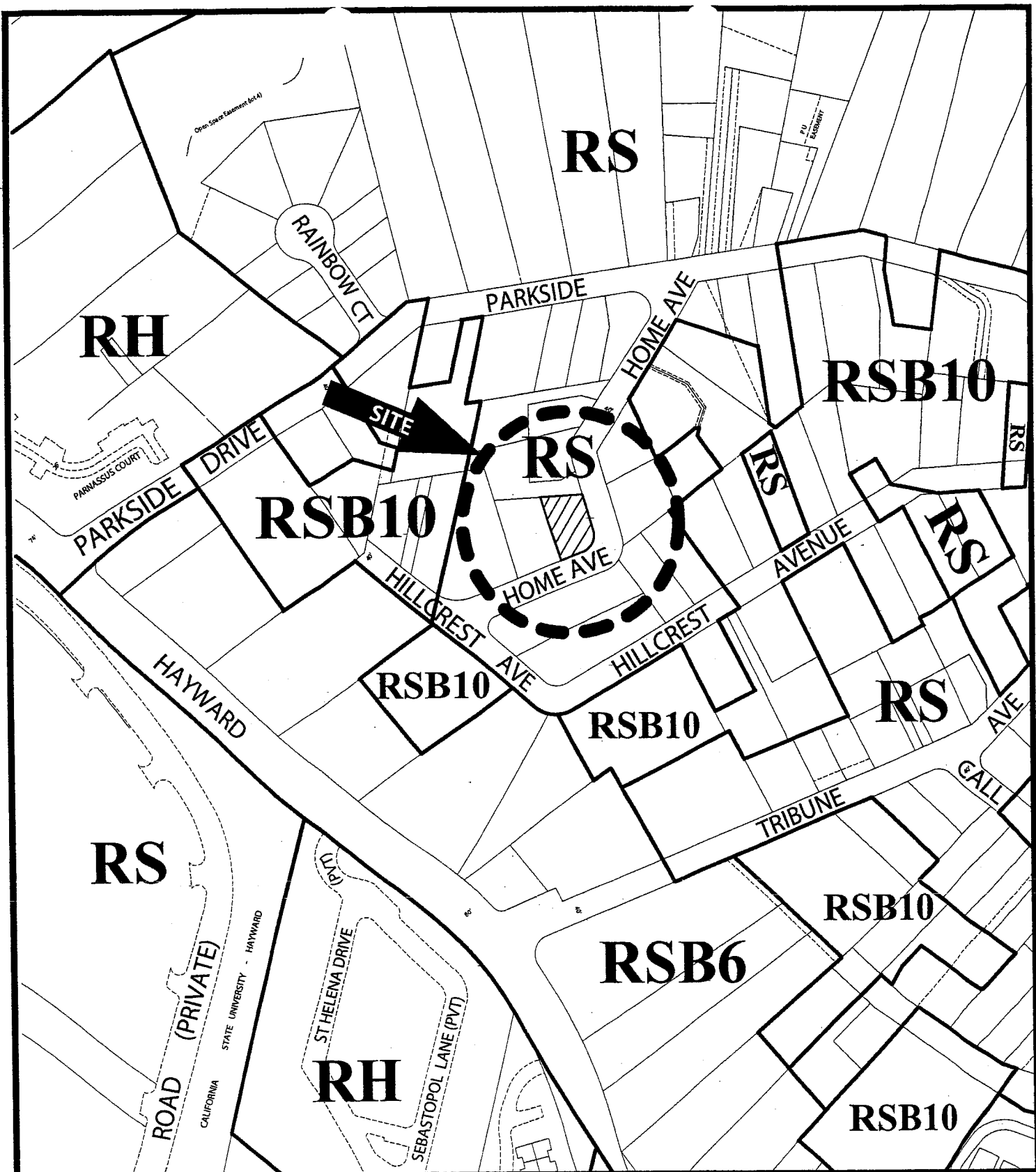

for Arlynne J. Camire, AICP
Associate Planner

Recommended by:


for Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area Map
- B. Findings for Denial
- C. Letter from OHHA
- D. Petition in Support
- E. Emails in Support
- F. Letters and Emails in opposition
Plans



Area & Zoning Map

PL-2003-0234 VAR

Address: 2608 Home Avenue

Applicant: George Dimic

Owner: George Dimic

RH-High Density Residential RHB 7

RS-Single-Family Residential,RSB4,RSB6



VARIANCE APPLICATION NO. PL-2003-0234
GEORGE DIMIC (APPLICANT/OWNER)
2608 HOME AVENUE
FINDINGS FOR DENIAL

- A. The proposed project is statutorily exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15270 (a), Projects Which are Disapproved.
- B. There are not special circumstances applicable to the property. The level of the lot is eight feet below the street, which would allow for privacy with the addition of a four-foot fence as permitted in the Single-Family Residential district.
- C. Strict application of the Zoning Ordinance would not deprive such property of privileges enjoyed by other properties in the vicinity under the same zoning classification in that other properties have not been allowed to have fences higher than 4 feet within the required 20-foot front yard setback.
- D. The variance would constitute a grant of a special privilege inconsistent with the limitations upon other properties in the Old Highlands Neighborhood and the Single-Family Residential (RS) District in which the property is situated in that other properties with similar circumstances have not been granted the same consideration and have fences that are consistent in design with the semi-rural character of the neighborhood.



Old Highlands Homeowners Association

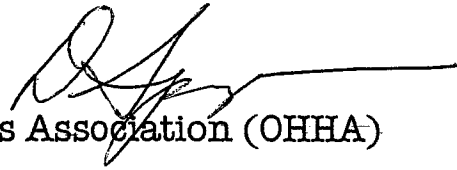
26285 Parkside Drive, Hayward, CA 94542

RECEIVED

MAY 28 2003

PLANNING DIVISION

To: Arlynn J. Camire, AICP
Associate Planner, Planning Division
City of Hayward
777 "B" Street
Hayward, CA 94541

From: Doug Sprague, President 
Old Highland Homeowners Association (OHHA)

Re: OHHA Board input on the variance for fence on frontage
of 2608 Home Ave Reference: PL-2003-0234 VAR,
George Dimic (Applicant/Owner)

BACKGROUND

The City of Hayward Planning Commission has asked the Old Highlands Homeowners Association (OHHA) Board to give their input on the fence variance request by George Dimic. Mr. Dimic has put up columns that exceed the City regulations of four feet for the front of properties.

Proceeding without permit. The OHHA Board is unhappy that Mr. Dimic did not apply for a permit, as required, before he started construction. Reaching a decision on this variance request was made much more difficult with a significant part of the fence already in place.

Neighborhood sentiment Mr. Dimic obtained signatures of 25 of his neighbors on Home and Hillcrest Avenues supporting the variance. The Board president interviewed 18 of these neighbors and all but two thought the fence would be all right with the wrought iron addition. Although a few said it was out of character for the rural

atmosphere of this area and opinion was divided on the beauty of the fence, most believed that it should be up to the owner to select the style. The height was not an issue for nearly all the neighbors because the fence is not solid. Safety was a bigger concern. Because the columns line up, the corner is almost blind. Most believed that it may be a danger for people new to the neighborhood or if someone was going the wrong way on these one way streets. Many wanted the corner kept clear of parked cars.

OHHA Board duty Although it is our obligation as OHHA Board members to represent our neighbors as best we can, it is also our duty to strive to maintain the semi-rural character and safety of the area and to consider wider implications and future impacts of matters coming before us.

Neighborhood character The Old Highlands is a neighborhood that is proud of its historic origins, passionate about its rural atmosphere, and comfortable with its variety and range of architectural styles. The Old Highlands Homeowners Association has existed in one form or another since this area was first designated the Hayward Farm Tract in 1914, and has served to protect and enhance this neighborhood over the years. We value our local community and its part in the larger community of Hayward, support good relations between neighbors, and we continue to support the active grass-roots democracy that has become a tradition up here. We appreciate being able to work with Hayward City Staff in maintaining and protecting the safety of our neighborhood, and understand that City codes and the permit process are intended to promote the good of all by creating reasonable and safe buildings, landscaping, streets, and so on.

Aesthetics When a valued neighbor has completed a lot of challenging and expensive work, it is difficult to think that it may need to be undone. This neighborhood values the variety of styles and appearance of its architecture. The design and quality of this fence are not at issue. By making the rest of the fence less than 4' high—and of open wrought iron—the overall look will be more open and graceful than it would appear from just seeing the support pillars and concrete work.

Mr. Dimic recused Although Mr. Dimic was recently elected to the OHHA Board, he has recused himself from the discussion and voting on decisions regarding his variance.

OHHA BOARD INPUT

The OHHA Board will support the request for fence variance if three contingencies are met:

1. **TRAFFIC SAFETY:** The City will address the issue of safety at the Dimic corner

2. **HEIGHT PRECEDENT:** If the variance is granted, the City does not treat it as a precedent for higher fences in the neighborhood.

3. **CURBING:** The City recognizes that the curb and street drainage that Mr. Dimic has installed may not be regarded as a final solution for curb and street drainage.

CONTINGENCY #1 TRAFFIC SAFETY: The City will address the issue of safety at the Dimic corner

This issue is the biggest concern regarding the variance. We value our narrow, winding, one-way streets and we want to keep them safe. Before our one-way system was adopted in the early '80s, the accident rate up here was 4-6 times the statewide rate for two-way streets. In the first two years after the one-way system was instituted, our accident rate was zero. This particular curve was a place where people often ended up going off the road to avoid an accident. Although we see that the wide fence columns and the trees within Mr. Dimic's yard block the view around the corner, this may actually make the corner safer by forcing drivers to radically slow down before entering the curve.

If this variance is approved, we want the No Parking signs replaced on this curve, we request that an additional diamond-shaped yellow right-angle-curve arrow sign be added with the words "Blind Curve 5 mph," and we request at least periodic traffic enforcement of those conditions. In addition to safe driving, it is critical that enough space be maintained for emergency vehicles to pass. While it is clear that there is no parking anywhere on the left side of the street from

before the curve to the intersection with Hillcrest, we need clarification on how far from a "no-parking" curve is parking allowed on Mr. Dimic's side of the street. Mr. Dimic is willing to create a low brick wall or other device on his side of the curve to prevent people from parking too close to the curve along the fence.

CONTINGENCY #2 HEIGHT PRECEDENT: If the variance is granted, that the City does not treat it as a precedent for higher fences in the neighborhood.

This neighborhood maintains a generally open appearance with regard to fence height along property frontages. We have looked at the photos Mr. Dimic has gathered of other high fences in the neighborhood (and of one that is part of a retaining wall along 2nd St). Some of those may have never gone through the permit process, some may have been grandfathered in, and several have less effect on traffic visibility than is apparent in the photos because of one-way traffic direction or because they are set back from the street frontage and from the corner of an intersection. For example, the undeveloped "triangles" on each side of Hillcrest where it intersects Tribune preserve a driver's visibility coming down from Hillcrest or uphill to Tribune from Parkside.

If this variance is granted, it is important that doing so not set a precedent for either decreased traffic visibility/safety or for promoting a neighborhood walled off from its streets by high fences. Mr. Dimic's fence has the saving grace of neighbors' being able to see through the wrought iron and therefore falls into a different category than solid fences — we would not want the reasons for granting the variance to become part of a public record of accepting or promoting a walled-off look in our neighborhood.

CONTINGENCY #3 CURBING: The City recognizes that the curb and street drainage that Mr. Dimic has installed may not be regarded as a final solution for curb and street drainage.

As part of this fence project, Mr. Dimic has dealt with drainage problems that have plagued his front yard for years by diverting runoff from the street (and the hillside across the street) into his

existing catch basins, which eventually flow into City storm drains. In addition, he has reinforced the deteriorating street edge with compacted hot asphalt. He has handled this well, but we don't know how his solution will affect the eventual overall solution for drainage and streets on all of Home Ave.

We currently have an OHHA Streets Committee working with City Staff on finding compromise solutions for our streets (that solve the drainage problems while retaining our rural atmosphere).

Some streets in our neighborhood such as Cotati, where many of the houses have traditional concrete curbs, may eventually have curbs all along the whole street to avoid a patchwork look. We are hesitant about starting with curbs on Home without knowing what all the homeowners on that street want.

For the present, we suggest leaving the curbs that Mr. Dimic has created, but tinting them charcoal (with special concrete stain) so that they blend in more with the street, and—because they have already been completed—deferring any decision on how they will fit in with the final curb/drainage solution which is arrived at for Home Avenue.

George Dimic

2608 Home Avenue
Hayward, CA 94542
(510) 537-9721

April 23, 2003

Ms. Arlynn J. Camire, AICP
Associate Planner
Planning Division
777 "B" Street
Hayward, CA 94541

Re: PL-2003-0234 VAR

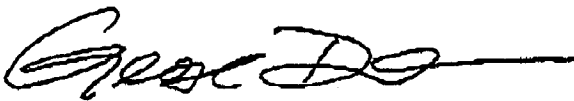
Dear Arlynn:

The official notice regarding the request for a Variance solicits input from various parties. To that end, I met with my neighbors on lower Parkside Drive, Home Avenue and Hillcrest Avenue (any occupants on one-way streets that would normally drive by the subject property and therefore have a first hand knowledge of the issues) and the president of Old Highlands Homeowners Association to obtain their impact.

The neighborhood survey was conducted on April 21, 2003 and April 22, 2003 from 5:30 p.m. to 7:30 p.m. The overwhelming endorsement and support (please see the enclosed signatures) for granting of the variance is very encouraging and sincerely appreciated.

The meeting with Doug Sprague (OHHA President) on April 21, 2003 was quite positive, carefully addressing the pertinent facts and each and every neighborhood concern. Although an official OHHA response is forthcoming, I am optimistic that it will endorse granting of the Variance.

Sincerely,



George Dimic

cc: Doug Sprague - OHHA President

Enclosure

GD/jd: p:\admin\pg\dimic\corres\personal\pl-2003-0234 var.dot

ATTACHMENT D

To: The City of Hayward, Planning Division

Re: Reference PL-2003-0234 VAR

We, the undersigned have no disagreement with the variance request for a fence at 2608 Home Avenue, which would utilize architectural columns and 36" wrought iron fence sections.

Please grant the variance request.

Name	Address	Telephone No.
STEVE ANDERSEN	2520 HOME AVE	889-9942
Margaret Workman	2524 HOME AVE.	538-3985
Blaine Workman	2524 HOME AVE	537-1308
Don Wain	2550 HILLCREST AVE	581-5222
Debra Miller	2587 Hillcrest Ave	582-4480
William J. Smith	26119 Parkside Dr	538-4678
John	26144 Parkside Dr	Unlisted
Tamara Davidson	26145 Parkside	910 733-9936
John	2673 HOME AVE	(510) 881-8879
John	2671 HOME AVE	510 247 3271
Mr. Thomas	2630 HOME AVE	889-0486
Radney Glass	2622 HOME AVE	537-2632
Cheryl Glass	2622 HOME AVE.	537-2632
Ruth Ritter	26133 Parkside Dr.	728-9166
Jerry Eady	2609 HOME AVENUE	538-9181
Carl Behr	2538 Hillcrest	581-7737
Lorraine Miller	2652 Hillcrest Ave	581-5310
Paul Dalk	2660 Hillcrest Ave	794-5233
Carol Jacobsen	2715 Hillcrest Ave	888-9595
Charles Brown	2806 Hillcrest Ave.	881-8772
Paul	2825 Hillcrest Ave	728-0857
John	2878 HILLCREST AVE	583-1917

From: Louis Maiwald [unclou@yahoo.com]
Sent: Tuesday, April 22, 2003 7:32 PM
To: Arlynne Camire
Subject: Reference PL-2003-0234 VAR
Reference PL- 2003-0234 VAR
George Dimic (applicant/owner)

I am responding to the official notice sent to me by the City of Hayward regarding the above variance request. I find no problem with the proposed fence design and request that the City of Hayward grant the variance request.

Thank you

Lou Maiwald
2550 Hillcrest Ave
Hayward, Cal

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From: Jerry Kruse [dakruser@pacbell.net]
Sent: Wednesday, April 23, 2003 5:55 AM
To: Arlynn Camire
Subject: My opinion regarding Variance at 2608 Home Ave

TO: Arlynn Camire

FROM: Gerald J Kruse
2659 Home Ave
Hayward, CA 94542
510-886-2659

RE: PL-2003-0234 VAR (George Dimic, Applicant/owner)

Hello Arlynn,

Thank you for the distribution of the post card announcing the Variance request.

As a resident on Home Avenue, I drive and walk by the 2608 Home Avenue address every day.

I feel that the landscape and fence activities that the owner has undertaken are an improvement in the areas of water drainage and safety visibility for both motorists and pedestrians. I understand that wrought iron fence assemblies are proposed to be installed between the various columns that are above the 4-foot height limit. The completion of the wrought iron fencing, upon Variance approval, would look fine in the neighborhood and would provide the safety and security to the home owner.

I am in favor of approving the Variance to retain the 8-foot fence along the street property lines.

If I can be of any further assistance, holler out.

Gerald Kruse

From: Louis Maiwald [unclou@yahoo.com]
Sent: Tuesday, April 22, 2003 7:32 PM
To: Arlynn Camire
Subject: Reference PL-2003-0234 VAR
Reference PL- 2003-0234 VAR
George Dimic (applicant/owner)

I am responding to the official notice sent to me by the City of Hayward regarding the above variance request. I find no problem with the proposed fence design and request that the City of Hayward grant the variance request.

Thank you

Lou Maiwald
2550 Hillcrest Ave
Hayward, Cal

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Arlynn Camire

From: Joy Rowan [joy@joyfulgreetings.com]
Sent: Saturday, April 26, 2003 4:10 PM
To: Arlynn Camire
Subject: Questions affecting PL-2003-0234 VAR

Dear Arlynn,

There has been a lot of discussion up here in the Old Highlands regarding George Dimic's variance request for his fence.

If possible, I'd like to get two things clarified -- and I believe that you are the best person to ask.

First, the Planning Dept. used to have a yellow sheet of paper with a diagram showing fence height requirements, building setbacks, and so on. I can't find the copy I had. Could you please mail a couple of copies (a neighbor wants one also) to me at:

Joy Rowan
2675 Hillcrest Ave
Hayward, CA

Thanks! If you have a file you could email, that would be ok too.

Also, I am trying to find out what the distance is for "line of sight" or "visibility for stopping distance" at a curve. I've seen references to something like that, but no specifics. I assume that it would be a certain number of feet at a certain MPH driving speed.

If a curve on a street in Hayward does not meet that specification, what is the usual mitigation? Would there be a reduced-speed sign, a big black curve arrow on a yellow sign, a large traffic mirror at the curve?

Guess that's more than two questions.
Thanks so much for your time and energy on this.

Joy Rowan



Arlynn

**Old Highlands
Homeowners Association**

26285 Parkside Drive, Hayward, CA 94542

RECEIVED

APR 14 2003

PLANNING DIVISION

April 11, 2003

Dyana Anderly
Planning manager
Community and Economic Development
City of Hayward

Dear Ms Anderly:

At the Old Highlands Homeowners Association (OHHA) Board meeting Monday we reviewed a letter from a neighbor who was disturbed about the wall/fence that George Dimic is building around his home at 2608 Home Avenue. This is the first time the Board has looked into this project and, as a first step, we are attempting to gather information about the issue.

Could you let me know the status of this project and any decisions the City has made about it?

Thank you very much.

Yours truly,

Doug Sprague
President, OHHA

510 886 1480
natadoug@yahoo.com

cc George Dimic

Arlynne Camire

From: Bruce Barrett [bruce@earthreflections.com]

Sent: Saturday, April 26, 2003 7:35 PM

To: Arlynne Camire

Subject: PL-2003-0234 VAR (Mr. Dimic Fence.)

Dear Arlynne Camire, AICP,

I am replying regarding a green postcard I received referenced as follows:

PL-2003-0234 VAR

George Dimic (Application/Owner)

I served on the Neighborhood Task force for this neighborhood, and have served on the Old Highlands Homeowners Association (OHHA) Board for 8 of the last 9 years. Most often serving as President.

I am not currently on the OHHA board.

I wish that the City of Hayward consider the facts of the case, as well as my opinions and views regarding Mr. Dimic's request for a variance.

Please support a safe solution to this problem.

One that we can all *live* with.

Opinion: The partial fence in question is beautiful. It looks substantial and as I saw it being built it seemed to me that it was being done with a great deal of care and attention to detail.

I am not an engineer and can't speak to it's ultimate stability, ruggedness of conformance to code.

Opinion: Although reasoned people could disagree about what to do, the facts surrounding this issue are not really debatable.

Fact 1: Mr. Dimic is in the construction trades.

Fact 2: Mr. Dimic met with the city regarding another matter (tree cutting) and was told not to do anything without submitting a plan.

Conclusion:

Mr. Dimic knew that cities have permitting processes (whether he understands why or not) long before work began.

Fact 3: Mr. Dimic started construction of the fence at issue without a permit.

Conclusion:

Mr. Dimic consciously chose not to get a permit.

4/28/2003

Fact 4: Mr. Dimic has now asked for a variance to retain this fence.

Conclusion:

The fence does not conform the the City of Hayward regulations for fences at it's location. (If it did conform a variance would not be needed.)

Fact 5: Because the partial fence was not permitted there were no city inspections assuring proper construction procedures were followed.

Fact 6: In the history of the streets in the Old Highlands, as the neighbors negotiated with the city, the corner on which the partially built fence is constructed was identified as one of the significant problem areas in the neighborhood.

Fact 7: Mr. Dimic has spent many, many hours on his fence, and projects related to it, to date.

Fact 8: Mr. Dimic has spent some sum of money on this partial fence.

Fact 9: There is now the possibility that the partially-built fence will have to be removed.

Fact 10: - Mr. Dimic had the opportunity to avoid this situation by submitting plans to the city and requesting a permit, but Mr. Dimic choose not to.

Fact 11: Mr. Dimic had the opportunity to avoid this situation by building in accordance with city regulations, even without a permit, but Mr. Dimic choose not to.

Fact 12: The simplest -- no need for discussion -- no need for OHHA Board or City involvement -- no need for meetings -- no need for green postcards -- no need for email -- no need for petitions -- no need to divide the neighborhood over the issue -- solution to this current problem would have been the removal of the non-conforming partial fence.

Conclusion:

ALL discussion, email, time spent on this project are directly to the benefit of Mr. Dimic. This neighborhood is spending it's time and it's energy on a problem that Mr. Dimic alone created for himself.

Opinion:

This time and effort in search of a solution is a neighborly thing to do. The OHHA board, City of Hayward and others are being neighborly. Even if the ultimate decision is that the fence must be brought into conformance all this effort has been in support of Mr. Dimic, and the investigation into possible compromises that allow some or all of his non-conforming fence.

Those are the relevant facts.

Any claims that the nature of the corner, due to lack of trimming or a prior non-conforming fence, has not changed are not relevant. Replacing one illegal structure with another does not make the

new structure legal.

So, what do we do with this problem that Mr. Dimic has brought upon himself?

Opinion and Conclusion:

Because the esthetics are so nice, my **concern** over this issue is purely **safety**. **If** this corner can be made **safe** and the fence retained that would be my preference.

If the corner cannot be made safe with the fence left in place then the fence must be removed. We cannot reasonably trade the safety of all neighbors for the esthetics or preference of one. Especially when that neighbor acted alone, not in the best interest of the rest of the neighborhood, in in conflict with City regulations.

The safety issue that concerns me the most is the view around the corner. I believe, as it stands, that the wide, tall, fence columns visually align in such a way that very little to none of the street after the curve is visible as you approach the curve. This is true even without the wrought iron inserts or any additional plantings.

Fortunately, this is a one-way street and the risk of head-on collisions is not high. (Though I **have seen** a number of vehicles going the wrong way down Hillcrest and Home so the risk is **not** zero.)

The biggest risk that I see is to pedestrians-domestic animals and deer walking in either direction as a vehicle comes around the corner.

This problem is further complicated by cars being parked by the Dimic's and their guests on both sides of the street, at and just past the corner, including No Parking areas. This forces pedestrians nearer the middle of the street -- and into traffic.

The fact that the street drops rounding the corner, and the fact that the column bases are higher than the center of the street makes this situation even worse. (Even poorer visibility.)

Even a 4 foot high fence may obscure much of a pedestrian.

**Please support a safe solution to this problem.
One that we can all live with.**

If safety can be achieved with additional signs, speed bumps, work on the opposite side of the road, enforced No Parking policies etc. that would be great. If not, then I'm afraid the partial fence must come down.

Thank you for your time and careful consideration of this issue,

Bruce Barrett
Hillcrest Ave.
Hayward.

Former OHHA President.
Former Task Force member.

4/28/2003

DUE TO THE SIZE OF EXHIBIT 'C' OF THIS REPORT, IT IS NOT AVAILABLE FOR WEB VIEWING. THE ENTIRE REPORT IS AVAILABLE FOR REVIEW IN THE PLANNING DIVISION, AT THE MAIN LIBRARY, AND IN THE CITY CLERK'S OFFICE.